

REMARKS

Claims 1-50 are pending in this application.

Claims 15-37 and 47-50 have been allowed.

Applicant wishes to take this opportunity to thank the Examiner for the indication of allowable subject matter.

Claims 1-14 and 38-46 stand rejected.

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Rejections Under 35 U.S.C. § 102(b):

Claims 1-4, 6-8, 10-12, 14 and 38-46 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,799,251 to Paavonen et al. ("Paavonen"). Claims 1, 6, 12, 14, 38 and 43-46 are independent.

Applicant's invention, as defined by claim 1, is directed to a method of providing service announcement information, comprising: transmitting at least one of a digital audio or video broadcast service on a first channel; and transmitting pointer data on the first channel, wherein the pointer data identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located.

As explained in a prior response, one embodiment of Applicant's invention provides a method for enabling a mobile terminal to quickly identify network services, such as digital audio or video broadcasts, in a multi-bearer network. Such broadcasts may be, e.g., radio or television programs. In one embodiment, the identification of network services is accomplished by the use of pointer data in each of the channels in the system. The pointer data identifies an all-announcement channel, which includes announcements identifying each of the services transmitted on each of the

channels in the system. In this manner, bandwidth is conserved by the network's not having to transmit service information on each channel. Likewise, time is saved by the user's not having to search each channel in the system for a service of interest.

In the Office Action, each of the independent claims 1, 6, 12, 14, 38 and 43-46 were rejected over the same passage of Paavonen. That passage is reproduced below:

“When a calling radio unit MS desires to perform an SDM/EDM transmission, it sends on a normal control channel (which is not said data transmission channel) in a normal manner an RQC message, in which it requests permission to send data. After the radio system has made sure that the called party of the data transmission (e.g. another radio unit) is available, the system commands both parties of the data transmission by a normal GO-TO-CHANNEL message to said radio channel operating like a control channel for performing the data transmission on that data channel. Several radio units may be allocated to the same data channel simultaneously, the accurate number of the radio units depending on the amount of data transmission. The call control CCC of the mobile exchange MX preferably controls the amount of radio units on the data channel in such a way that the effective transmission rate of the data channel per a radio unit does not decrease too low, e.g. below a predetermined threshold.”

(Paavonen, col. 4, line 60 – col. 5, line 10)

In Paavonen, a calling radio unit (MS1) sends a request to the fixed network to conduct a Short Data Message (SDM) / Extended Data Message (EDM)-type transmission to a called radio unit (MS2). The request is sent over a normal control channel (for convenience, hereinafter referred to as “Channel X”). In response, the network will command both mobile stations to go to a data transmission channel acting like a control channel (hereinafter referred to as “Channel Y”) to conduct the SDM/EDM transmission. The MSs will comply with the command and, upon completion of the transmission, the network will command the MSs to return to the original control channel. This embodiment is disclosed in FIG. 3 of Paavonen. An alternate embodiment, wherein the SDM/EDM transmission is between the network and a single MS is disclosed in FIG. 4 of Paavonen. Thus, Paavonen is directed to the use of a network-based instructions to switch between a normal control channel and a data transmission channel acting as a

control channel for purposes of transmitting SDM/EDM-type messages. In the “Background of the Invention” section, Paavonen explains that this avoids, among other things, the potential for interference that may occur between the data communication and the normal control signaling if both are sent on the same normal control channel. (Col. 1, lines 28-33)

It is unclear from the Office Action, however, what exactly in Paavonen the Examiner contends corresponds to each of the claimed “transmitting at least one of a digital audio or video broadcast service on a first channel” and “a second channel on which a service announcement identifying the service transmitted on the first channel is located”, as recited in claim 1.

If the Examiner is contending that Channel X of Paavonen corresponds to the claimed “first channel”, Paavonen would not anticipate claim 1 for at least the reason that Channel X is simply a control channel for use in transmitting control messages. Paavonen does not disclose that Channel X is a channel on which “a digital audio or video broadcast service” is transmitted, as required by claim 1.

If the Examiner is contending that Channel Y of Paavonen corresponds to the “first channel” of claim 1 and Channel X of Paavonen corresponds to the claimed “second channel” of claim 1, Paavonen would still not anticipate claim 1 for at least the reasons set forth below.

First, there is no teaching in Paavonen that the information transmitted on Channel Y is “a digital audio or video broadcast service”, as required by claim 1. Paavonen merely discloses transmitting/receiving short data messages (SDM) of a predefined segment of characters or extended data messages (EDM) of a multi-segment transmission. Thus, Paavonen does not teach or suggest transmitting/receiving “digital audio or video” on Channel Y, as required by claim 1. Moreover, although Paavonen mentions that several radio units may be allocated to the same data

channel simultaneously, this is not a teaching that the transmission thereon is a “broadcast” service, as further required by claim 1. Instead, this merely suggests that the same data transmission channel may be shared by multiple radio units (e.g., MS1 may transmit to MS2, as in the embodiment of FIG.3, while the network transmits to MS3, as in the embodiment of FIG. 4, all on the same data transmission channel). In that regard, Applicant notes the references in Paavonen to “time slots” of the data transmission channel and reserving three time slots on that channel for transmission of a Head message containing a data segment. (Col. 5, lines 18 & 39-42)

Second, Paavonen does not teach or suggest that there is a “service announcement” on Channel X that identifies the service transmitted on Channel Y, as required by claim 1. Instead, there is simply a command transmitted on Channel X to instruct the radio unit(s) to switch to Channel Y. Moreover, claim 1 requires “wherein the pointer data identifies a second channel on which a service announcement identifying the service transmitted on the first channel is located”. In Paavonen, the command to return to Channel X is in response to the termination of the data transmission on Channel Y after which there is nothing left on Channel Y for an alleged service announcement on Channel X to identify.

Accordingly, Applicant respectfully submits that Paavonen fails to teach or suggest the subject matter of claim 1. Thus, claim 1 is not anticipated by Paavonen.

Claims 6, 12, 14, 38, 43-46 contain features similar to those found in claim 1, and thus, are not anticipated by Paavonen for at least the same reasons as set forth above in urging the allowance of claim 1.

Should the Examiner persist in the rejections of these claims in view of Paavonen, Applicant respectfully requests that the Examiner identify on the record what exactly in Paavonen

she contends corresponds to each of the elements of the claims so that Applicant may fully consider and address her position.

Dependent Claims:

Applicant does not believe it necessary at this time to address the rejections of the dependent claims as Applicant believes that the foregoing arguments and amendments place the independent claims in condition for allowance. Applicant, however, reserves the right to address those rejections in the future should such a response be deemed necessary and appropriate.

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4061.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4061.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: _____

Peter N. Fill

Registration No. 38,876

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile